

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOANNE TEMPEST,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
SCOTT EMEIGH et al.,	:	No. 21-3346
Defendants.	:	

ORDER

AND NOW, this 11th day of April, 2022, upon consideration of Cpl. Patrick Dawe, Lt. James Thomas, and Col. Robert Evanchick's Motion to Dismiss Plaintiff's Amended Complaint and Plaintiff Joanne Tempest's response thereto, it is hereby **ORDERED** that the motion (ECF No. 10) is **DENIED**. It is **FURTHER ORDERED** that Cpl. Dawe, Lt. Thomas, and Col. Evanchick's earlier Motion to Dismiss filed in connection with the initial Complaint (ECF No. 5) is **DENIED** as moot.

BY THE COURT:



Berle M. Schiller, J.